

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

RACHEL JOHNSON, on behalf of )  
herself and all others similarly situated, )

) Case No. 14-cv-2028

Plaintiff, )

)

v. )

)

YAHOO! INC., )

)

Defendant. )

ZENAIDA CALDERIN, )

) Reassigned to Judge Kennelly  
Plaintiff, ) as a Related Case

)

v. )

)

Case No. 14-cv-2753

YAHOO! INC., )

)

Defendant. )

**STIPULATION**

The Plaintiffs in these related actions filed their respective Motions for Class Certification (Doc. 4 in Case No. 14-2028 and Doc. 9 in Case No. 14-2753) simultaneously with their complaints to protect the putative classes from any attempts to moot these actions. *See Damasco v. Clearwire*, 662 F.3d 891 (7<sup>th</sup> Cir. 2011).

All parties wish to remove Plaintiffs' Motions for Class Certification from the Court's docket, without prejudice.

Therefore, from the time that Plaintiffs withdraw their Motions for Class Certification until the time that Plaintiffs file their renewed Motions for Class Certification, Defendant agrees to not make any individual settlement offers or offers of judgment to Plaintiffs without seven (7) days

advance written notice. This seven (7) day period is intended to permit Plaintiffs to re-file their Motions for Class Certification before such offer is made, in order to avoid any claim of mootness.

Any offer or tender not permitted by this stipulation is a nullity, having no legal effect and will be treated at all times as having never occurred.

Based upon this stipulation, Plaintiffs agree to withdraw their Motions for Class Certification motion without prejudice.

Dated: June 5, 2014

/s/ with consent

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